

UNITED STATES BANKRUPTCY COURT
Nebraska U.S. Bankruptcy Court
111 South 18th Plaza
Suite 1125
Omaha, NE 68102

In Re: Floors & More, Inc.
Debtor(s)

Richard D. Myers
Plaintiff(s)

Bankruptcy Proceedings No. 06-81735-TJM
Adversary Proceedings No. 07-08057-TJM

v.

Chapter 7

Walsh Construction Company
Defendant(s)

PRELIMINARY PRETRIAL ORDER

The Court finds that the parties shall be required to prepare a **Joint** Preliminary Pretrial Statement regarding this adversary. (Please note the new provisions regarding motions for summary judgment)

IT IS HEREBY ORDERED, that counsel for all parties listed below shall prepare, sign and file with the Clerk of the United States Bankruptcy Court on or before **October 23, 2007**, a **joint** document captioned "Joint Preliminary Pretrial Statement" which is to include:

1. A summary of plaintiff's or proponent's theory of the case and defendant's or opponent's defense or objections;
2. A summary of the uncontroverted facts;
3. A summary of the controverted facts and unresolved legal issues;
4. A summary of the evidence, e.g., witnesses, exhibits and depositions to be relied upon to establish each of the controverted facts.
5. A statement as to which exhibits are admitted without objections.
6. A statement of the estimated number of hours required for trial; and
7. A statement of the date by which motions for summary judgment, if any, shall be filed.
8. A statement of the date, after the deadline for filing motions for summary judgment, by which counsel will be prepared for trial.

The preliminary pretrial statement shall be binding between the parties according to its terms.

If parties settle this matter before the date scheduled above, please inform the Courtroom Deputy, and comply with Neb. R. Bankr. P. 9019-1, if applicable.

Dated: 8/24/07

Timothy J. Mahoney
Chief Judge

Copies mailed or electronically sent by the court to: